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Application granted. The time to move to reopen is extended to November 7, 2022.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
September 29, 2022

BY ECF

Honorable Philip Halpern  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Re. *Rance, et al v. Jefferson Village Condominium No. 5, et al*  
**18cv6923 (NSR)(JCM)**

Dear Judge Halpern:

Plaintiffs seek leave to restore the action or, in the alternative, an extension of time to file the Stipulation of Settlement. This is parties' fifth request for an extension of time.

On August 17, 2022, the Court extended parties' time to file the Stipulation of Settlement to September 30, 2022.

As previously stated to the Court, parties have agreed on the remedial measures as well as the amount of damages and attorney's fees and costs. Presently, we are extremely close on finalizing the terms of the Settlement Agreement. However, in revising and exchanging the proposed Settlement Agreement, I have had overwhelming difficulties receiving a response from Defendants' attorney, Eric Sauter.

On September 7, 2022, Mr. Sauter and I had a telephone conference regarding additional revisions Defendants want to make in the agreement. However, because his computer crashed during the telephone conference, he said he was unable to continue. I then asked him to please make the revisions to the agreement and send to me for review. However, he or his associate, James Marshall, did not. For the following two weeks, Mr. Sauter was in Europe. This week, I contacted Mr. Sauter and his associate, James Marshall, every day. However, they have not responded.

Consequently, because the settlement agreement is not yet complete, I respectfully request an extension of time to file a Stipulation of Settlement until November 7, 2022, or in the alternative, to restore the action.

**Law Office of  
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September 28, 2022  
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I thank the Court for its time and consideration of this request.

Respectfully,

/s/ James E. Bahamonde

James E. Bahamonde, Esq.

cc:

Eric J Sauter, Esq.  
James Marshall, Esq.  
Wilson Elser, Moskowitz, Edelman & Decker, LLP  
Attorneys for Defendants